

am



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,239	12/15/2003	John J. Mampe	18525-0802	3153
39943 7590 02/21/2007 PHILIP G. MEYERS LAW OFFICE 1009 LONG PRAIRIE ROAD, SUITE 300 FLOWER MOUND, TX 75022			EXAMINER ALLISON, ANDRAE S	
			ART UNIT	PAPER NUMBER
			2624	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/736,239

Applicant(s)

MAMPE ET AL.

Examiner

Andrae S. Allison

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/28/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first, second and third destination codes must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 12 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim states that the image data is analyzed to determine if a predetermined data pattern other than a bar code or address associated with a third destination address, and if such a pattern exit, process the mail according to the third destination address, however, applicant has not fully disclose or provide example has to what this third destination code is or could be. Therefore, the invention is not described in such a way that it would enable one skilled in the art to carry out the invention without undue burden.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 5, 13, are rejected under 35 U.S.C. 102(e) as being anticipated by Avant et al (US Patent No.: 6,977,353).

As to independent claim 1, Avant discloses a method of processing a series of mail pieces (identifying and processing mail, column 5, line 29), comprising the steps of:

(a) scanning a surface of each mail piece with at least one imaging camera to obtain at least one image (e.g. 100, see Fig 2A) of the surface represented by image data (column 7, line 67 and column 8, line 1) (b) analyzing the image data to locate a destination bar code in the image (read ID barcode 204, on a mail piece see Fig 2B and column 11, lines 1-2); (c) analyzing the bar code to recognize a first destination code (see column 11, lines 4-10, where the ID barcode is analyzed to resolve a zip code); (d) if the first destination code meets predetermined criteria, then processing the mail piece further in a manner dependent on the first destination code (see column 8, lines 6-10, where if a postnet code is resolved, then a postnet code corresponding to a destination address is sprayed unto to the front of the mail piece); (e) if the first destination code cannot be recognized or fails to meet the predetermined criteria, then analyzing the image data to locate destination address lines in the image, analyzing the address lines to determine a second destination code, and processing the mail piece further in a manner dependent on one of the second destination code, or a result determined by

arbitrating the first and second destination codes (see column 8, lines 35-67 and column 9, lines 1-16 where if the cannot resolve a zip code, the address portion of the mail piece is analyzed to determine zip code and the postnet code is re-sprayed on the mail piece).

As to claim 2, Avant teaches the method, wherein the further processing comprises sorting the mail piece (column 5, line 29).

As to claim 5, Avant teaches the method, further comprising: determining if the mail piece bears an ID tag associated with that mail piece in previous postal processing; if such an ID tag is identified, retrieving a third destination code associated with the identification code from a computer accessible storage medium; and sorting the mail piece based on the retrieved third destination code (see column 9, line 62-67 and column 10, lines 1-4, where if a destination code cannot be resolve, the mail piece image, ID tag along with other files are sent to a Remote Computer Reader so that a the unresolved zip code can be compared to a central database).

As to claim 13, Avant teaches the method, wherein step (e) further comprises printing a bar code on the mail piece, which bar code embodies a scannable destination code which is the second destination code (see column 8, lines 6-10, where if a postnet

code is resolved, then a postnet code corresponding to a destination address is sprayed unto to the front of the mail piece).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Avant et al (US Patent No.: 6,977,353).

As to claim 3, Avant does not disclose expressly the method, wherein at least about 1% of mail pieces processed are sorted based on the second destination code. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to sort the mail piece wherein at least about 1% of mail pieces processed are sorted based on the second destination code. Applicant has not disclosed that sorting the mail piece wherein at least about 1% of mail pieces processed are sorted based on the second destination code provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the method sorting 0.5 or 2%

based on the second destination code because the sorting algorithms could be tweaked until the preferred or desirable sorting based on the second destination code is found.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Avant et al (US Patent No.: 6,977,353) in view of Rosenbaum et al (US Patent No.: 5,031,223).

As to claim 4, Avant discloses the method of creating a scannable identification code on the mail piece surface (204, ID tag, see Fig 2B), however does not expressly disclose the method, wherein when a mail piece destination cannot be sufficiently identified from either the first or second destination codes, the method further comprises: creating a scannable identification code on the mail piece surface; storing the scanned image of the mail piece in computer accessible form together with the associated identification code; and sorting the mail piece to a reject bin for unreadable mail pieces. Rosenbaum disclose a automated mail processing method (column 1, lines 7-8) that includes the step wherein when a mail piece destination cannot be sufficiently identified from either the first or second destination codes, the method further comprises: creating a scannable identification code on the mail piece surface; storing the scanned image of the mail piece in computer accessible form together with the associated identification code; and sorting the mail piece to a reject bin for unreadable mail pieces (see column 7, lines 1-20, where if the zip code or address of a mail piece cannot be resolve, an identification number in the form of a bar code is imprinted on the mail piece and then the mail piece is routed to a rejected tray. Also, Note that the image of the mail piece is associated with the identification number). At

the time of the invention, it would have been obvious to a person of ordinary skill in the art to have combined the teachings of Avant and Rosenbaum to provide an improved technique for multistage processing of mail pieces by deferred processing of OCR scanned mail, by capturing an image of the mail pieces, printing a serial number on each mail piece and using the serial number to sort or route the mail pieces.

9. Claims 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Avant et al (US Patent No.: 6,977,353) in view of Haruki et al (US Patent No.: 4,632,252).

As to claim 6, Avant teaches the method of carrying out steps (a) to (e) concurrently for more than one mail piece at a time as the mail pieces, however does not specifically mentions conveying a series of the mail pieces on a conveyor. Haruki teaches a method for sorting mail which includes the step of conveying a series of the mail pieces on a conveyor (113, see Fig 2 and column 3, lines 29-30). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have combined the teachings of Avant and Haruki to sort mail or postal objects in a more fast and efficient matter by using coding devices to resolve unreadable zip codes.

As to claim 7, Haruki teaches the method, wherein the conveyor transports the mail pieces past a series of diverters (control gates; column 3, line 18) used for sorting the mail pieces, further comprising completing steps (a) to (e) for each mail piece before each mail piece reaches a first one of the diverters.

As to claim 8, Avant teaches the method, further comprising buffering the image data in a computer memory as one of a series of images for successive mail pieces (see column 10, lines 55-57, where if a zip code cannot be resolved, the mail piece image is stored in image buffer 618, see Fig 6A).

As to claim 9, Avant teaches the method, further comprising carrying out step (e) only upon completion of steps (b) thru (d) when the first destination code cannot be recognized or fails to meet the predetermined criteria (note that only when the zip code cannot be resolved that step (e) is carried out, see column 8, lines 36-37).

As to claim 10, Avant teaches the method, further comprising initiating step (e) in parallel with steps (b) thru (d) (see column 8, lines 40-41).

As to claim 11, Avant teaches the method, further comprising: terminating step (e) when it is determined that the first destination code meets the predetermined criteria; and continuing step (e) to completion when the first destination code cannot be recognized or fails to meet the predetermined criteria (note that the process of resolving the zip code stops if the zip code is resolve during the first two steps, see column 8, lines 19-21).

Art Unit: 2624

10. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Avant et al (US Patent No.: 6,977,353) in view of Fisher et al (US Patent No.: 6,427,021).

As best understood, as to claim 12, Avant does not expressly disclose the method, wherein step (e) further comprises: analyzing the image data to determine if a predetermined data pattern, other than a bar code or address lines, associated with a destination is present; if such a data pattern is present, determining a corresponding third destination code for the destination associated with the pattern; and processing the mail piece further in a manner dependent on the third destination code. Fisher disclose a method for tracking a mail piece (see title) that includes analyzing the image data to determine if a predetermined data pattern, other than a bar code or address lines, associated with a destination is present; if such a data pattern is present, determining a corresponding third destination code for the destination associated with the pattern; and processing the mail piece further in a manner dependent on the third destination code (see column lines 3, lines 25-50, where a scanner at a post office read a mail piece and extract a unique identifier contained on the mail piece that is associated with an sender and used this identifier to track the mail piece from it's arrival to destination place). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combined the teachings of Avant and Fisher to scan a mail piece, extract a unique identifier and use the identifier to further process the mail piece.

11. Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Avant et al (US Patent No.: 6,977,353) in view of Stevens et al (US Patent No.: 5,558,232).

As to claim 14, Avant discloses the method, further comprising scanning a surface of each mail piece with a first imaging camera to obtain a first image (see Fig 2A) of the surface represented by first image data; scanning a surface of each mail piece with a second imaging camera to obtain a second image (see Fig 2B) of the surface represented by first image data; carrying out steps (b)-(d) using the first image data; and carry out step (e) using the second image data. Avant does not disclose expressly a first imaging camera and a second imaging camera. Stevens discloses a method for sorting documents (column 1, lines 6-7) that includes a first imaging (66, see Fig 6) camera and a second imaging camera (80, see Fig 6). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combined the teachings of Avant and Stevens for efficient sorting incoming mail pieces by using multiple cameras to image front and back of the mail pieces and transporting them to the correct bins (column 1, lines 30-33 and column 2, lines 45-57). Furthermore, Advant does not expressly disclose carrying out steps (b)-(d) using the first image data; and carry out step (e) using the second image data. However, it would have been obvious to carrying out steps (b)-(d) using the first image data; and carry out step (e) using the second image data because performing the steps in respective order would depend on which side of the a mail piece the destination bar code is present.

As to independent claim 15, this claim differs from claim 1 only in that claim 15 is apparatus whereas, claim 1 is method and the limitations a conveyor which transports a series of mail pieces; a series of diverters which are each operable to divert mail pieces from the conveyor to one of a series of sorting destinations; an imaging camera positioned proximate the conveyor for scanning a surface of each mail piece to obtain an image of the surface represented by image data; and a computerized control system are additive recited. Avant does not expressly disclose a conveyor which transports a series of mail pieces; a series of diverters which are each operable to divert mail pieces from the conveyor to one of a series of sorting destinations; an imaging camera positioned proximate the conveyor for scanning a surface of each mail piece to obtain an image of the surface represented by image data; and a computerized control system. Stevens discloses a method for sorting documents (column 1, lines 6-7) that includes a conveyor (63, see Fig 2) which transports a series of mail pieces; a series of diverters (e.g. 47, 48, 49, see Fig 2) which are each operable to divert mail pieces from the conveyor to one of a series of sorting destinations; an imaging camera (e.g. 80, see Fig 2) positioned proximate the conveyor for scanning a surface of each mail piece to obtain an image of the surface represented by image data; and a computerized control system (see Fig 7). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combined the teachings of Avant and Stevens for efficient sorting incoming mail pieces by using multiple cameras to image front and back of the mail pieces and transporting them to the correct bins (column 1, lines 30-33 and column 2, lines 45-57).

As to claim 16, note the discussion above, Stevens teaches the apparatus, further comprising: a first sensor (138, see Fig 7) located proximate the conveyor and imaging camera able to sense a mail piece passing by; a second sensor (138, see Fig 7) located proximate the conveyor and upstream from a first one of the diverters; and wherein the computerized control system further comprises means for terminating processing of image data and providing a sorting decision when a mail piece detected by the first sensor is then detected by the second sensor (column 12, line 67 and column 13, lines 1-16).

As to claim 17, neither Avant nor Steven discloses the apparatus, wherein the sensors are photocells. However, it would have obvious to the sensors are photocells in the mail sorting apparatus to sense the beginning and end of a mail piece as move along a conveyor or transport belt furthermore, the use of photocells as transport sensor is well known in the art (OFFICIAL NOTICE).

As to claim 18, Stevens teaches the apparatus, wherein the computerized control system further comprises a memory buffer (e.g. 162, see Fig 8) for storing image data from a plurality of mail pieces in transit between the first and second sensors (column 13, lines 31-54).

Conclusion

The prior art made part of the record and not relied upon is considered pertinent to applicant's disclosure.

Foley (US Patent No.: 6,487,302) is cited to teach a method for reading and sorting documents.

McCubbrey (US Patent No.: 5,216,725) is cited to teach a computer system and method for a mail sorting operation

Hansel et al (US Patent No.: 6,909,789) is cited to teach a video coding system.

Heilper et al (US Patent No.: 6,014,450) is cited to teach a method and apparatus for address block location.

Mampe et al (US Patent No.: 4, 992,649) is cited to teach a material handling system for sorting mail.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrae S. Allison whose telephone number is (571) 270-1052. The examiner can normally be reached on Monday-Friday, 8:00 am - 5:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571) 272-7695. The fax phone

Art Unit: 2624

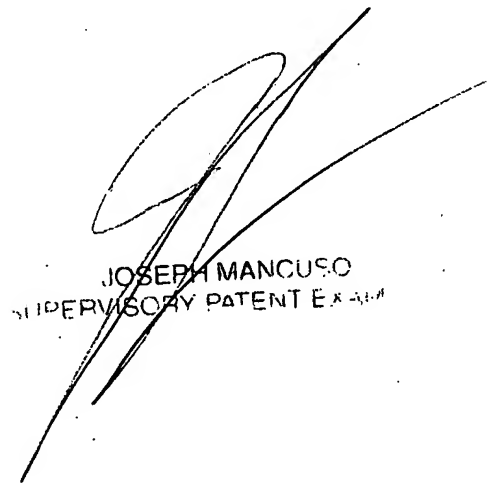
number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrae Allison

February 8, 2007

A. A.



JOSEPH MANCUSO
SUPERVISORY PATENT EXAMINER